

**PLANNING BOARD
REGULAR MEETING
TREMONT COMMUNITY BUILDING
TUESDAY, AUGUST 30, 2005
6:00 PM**

1. CALL TO ORDER

Chairman George Urbanneck called the Planning Board meeting of Tuesday, August 30, 2005 to order at 6:00PM.

2. ROLL CALL

George Urbanneck, Linda Graham, Alden Gray, Mike Ryan, Wayne Patton, Rick Nickerson, Jim Keene, CEO Millard Billings and Recording Secretary Heidi Farley.

3. ADJUSTMENTS / ADOPTION OF AGENDA

None

4. APPROVAL OF MINUTES

CEO Millard Billings called attention to the Planning Board an error in the approved minutes of July 12, 2005, under Ralph Shapiro Subdivision, the size of the road should be 12x1200 feet not 12x400 feet.

MOTION by Planning Board member Jim Keene to approve amended minutes of July 12, 2005, seconded by Linda Graham. Motion passed by a show of hands 6 in favor, Rick Nickerson abstained-not a member of the Planning Board at that time.

A. Minutes of June 21, 2005 Planning Board Meeting

Planning Board member Linda Graham noted that on page 2, second paragraph, fifth row, the word "pit" does not belong. The beginning of the sentence should be changed to read "It gives every member of my family pleasure"

MOTION by Planning Board member Jim Keene to accept minutes of June 21, 2005 as amended, seconded by Linda Graham. Motion passed by a show of hands, 5 in favor, Abstentions were Rick Nickerson-not a Planning Board member at that time and Mike Ryan-not present for the meeting of June 21, 2005 meeting.

B. Minutes of August 16, 2005 Planning Board Meeting

Planning Board member Mike Ryan noted that the word "contour" should be added on page 2, 5 B Subdivisions, line 4 in front of the word "lines".

MOTION by Planning Board member Wayne Patton to accept minutes of August 16, 2005 as amended, seconded by Linda Graham. Motion passed by a show of hands, 6 in favor, Rick Nickerson abstained-not a member of the Planning Board at that time.

5. SUBDIVISIONS

- A. Completeness of Application submitted by Samuel Coplon for David and Elaine Elliott, Map 4 Lot 6-1, Harbor Shoreland & Residential-Business Zones. Application is for an amendment to a 3 lot Subdivision Plan approved in 2003 by creating one additional lot of 4.8 acres to be offered for sale.

Mr. Coplon gave the Planning Board a new map showing the updated plat as they requested. Mike Ryan noted that Mr. Coplon's Power of Attorney for Mr. Elliott has expired. Mr. Coplon will have it redone. Jim Keene said that he would like to see the Deeds show the easements because of so much access to wetlands. George Urbanneck asked Mr. Coplon to show the easements on a map and Mr. Coplon said that he would. Mr. Sandy Andrews, an abutter to the subdivision, expressed concern about the vegetative barrier being removed between the new driveway for the subdivision and his own. George Urbanneck said "I feel for you for losing the trees but there is not much the Planning Board can do, the Subdivision has to meet the standards." Mr. Urbanneck asked if there were any other questions. There were none.

MOTION by Linda Graham to accept application as complete subject to proof of representation and location of road showing on plans, seconded by Wayne Patton. Motion passed by a show of hands 6 in favor, Rick Nickerson abstained due to not being a Planning Board member at time of application.

A Public Hearing will be held on September 13, 2005 at 6:00PM in the Tremont Community Building on the completed application for David & Elaine Elliott's amended 3 lot Subdivision Plan that was approved in 2003 by creating one additional lot of 4.8 acres to be offered for sale.

6. NEW BUSINESS

- A. An application submitted by Kim Strauss to add a two-bedroom apartment for owner/employee, to existing structure in second floor of boat shop on Map 12 Lot 71 in the Commercial Fisheries/Maritime Activities Zone.

Representing Mr. Strauss is his wife, Charlene Strauss. A lot of discussion on the interpretation of the Tremont Zoning Ordinance. The Planning Board decided to have CEO Millard Billings draft a letter to the Maine Municipal Agency (MMA) requesting their interpretation of SECTION IV STANDARDS FOR THE ZONE, E. COMMERCIAL FISHERY/MARITIME ACTIVITY SHORELAND ZONE, 1. Land Use Standards, b new residential use is not permitted. EXCEPTION: one residential dwelling unit is permitted as an accessory use to a commercial use. This is only to be used by the employer or employees of the commercial use. This is only to be used by the employer or employees of the commercial use. The applicant must demonstrate with clear and convincing evidence that the State subsurface wastewater laws will be satisfied. The Planning Board specifically would like to know which, if any, lot structure and performance standards are negated by this exception.

MOTION by Mike Ryan to table the application dated 8/12/05 by Kim Strauss to add a 2 bedroom apartment to the second floor of his boat shop, second by Wayne Patton. Motion passed by a show of hands 7-0.

Date of application amended to 8/23/05

George Urbanneck asked Mrs. Strauss about overboard discharge volume and how she got the 510 gallons a day figure. Mrs. Strauss showed the Planning Board a letter from the DEP in answer to the question (see attached). Mr. Urbanneck told Mrs. Strauss “the only outstanding issue is the answer from MMA about the exception, the next Planning Board meeting is on the 13th of September, we will have an answer by then.”

7. OLD BUSINESS

None

8. CEO ISSUES

CEO Millard Billings told the Planning Board that he had issued a notice of violation to Daniel and Naomi Irvine for placing a structure on their property without a permit. Mr. Billings also gave the Board a letter they received from Ralph and Ellen Shapiro asking for clarification on the after the fact permit that was issued on July 13, 2005. Mr. Billings also gave the Board a copy of his letter to them in response. (See attached)

9. NOTICES

A. Public Hearing is scheduled in Augusta at the Holiday Inn/Ground Round on September 8, 2005 at 2:30 PM, to discuss proposed amendments to *State of Maine Guidelines for Municipal Shoreland Zoning Ordinances*.

Planning Board members not interested at this time.

10. OTHER

None

11. SET DATE FOR NEXT MEETING: September 13, 2005

12. ADJOURN

Linda Graham made a motion to adjourn at 7:54 PM, Mike Ryan seconded. Motion passed 7-0, verbal response.

Respectfully Submitted
Heidi Farley
Recording Secretary

Chairman George Urbanneck